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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/023,803	12/21/2001	Toshihiro Takahashi	111126	4007

25944 7590 10/03/2003

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EXAMINER

DO, AN H

ART UNIT	PAPER NUMBER
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2853

DATE MAILED: 10/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/023,803

Applicant(s)

TAKAHASHI ET AL.

Examiner

An H. Do

Art Unit

2853

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 May 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,8,11-14 and 20 is/are rejected.
- 7) ☒ Claim(s) 3-7,9,10 and 15-19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 8.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 02 April 2003 was filed and is being considered by the examiner.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2, 8, 11-14 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pangburn (US Des. 413,142) in view of Zeligson (US 6,067,738).

Pangburn discloses in Figures 1-6 a printer that prints indicia on a recording medium, comprising: a printer (Figure 1) having an outer surface.

Pangburn discloses the claimed invention except for reciting the following claimed features:

a photo stand;

a plurality of engagement portions;

the photo stand includes: a frame in which a middle portion is open; a plurality of engaging protrusions; and a photograph holding portion that is integrally formed to a base portion of each engagement protrusion and urges the photograph;

a transparent panel that covers a surface of the photograph so as to be able to be seen therethrough; and

a rear panel that holds the photograph with the transparent panel from the rear side of the frame;

Zeligson teaches the following claimed features:

a photo stand (Figures 3-5);

a plurality of engagement portions (73);

the photo stand includes: a frame (75) in which a middle portion is open (if the lens 71 is taken out); a plurality of engaging protrusions (77, 79) that are provided on a rear surface of the frame and engage the respective engagement portions; and a photograph holding portion (81) that is integrally formed to a base portion of each engagement protrusion and urges the photograph (83);

a transparent panel (71) that covers a surface of the photograph (83) so as to be able to be seen therethrough; and

a rear panel (70) that holds the photograph (83) with the transparent panel (71) from the rear side of the frame.

It would have been obvious to one having ordinary skill in that art at the time the invention was made to have a photo stand and its attached components to attach to not just a printer but any other appliances as well, as taught by Zeligson, for the purpose of saving space and individually decorating ideas.

Response to Arguments

4. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

5. Claims 3-7, 9, 10 and 15-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 4, it is the combined limitation of wherein the frame is provided with a bottom portion that extends in a direction smaller than a right angle by a predetermined angle with respect to the frame, and the printer is inclined at the predetermined angle with respect to a direction perpendicular to an installed plane of the printer when the printer is attached with the photo stand having the bottom portion;

Regarding claim 5, it is the limitation of the surface of the printer to which the photo stand is to be attached is provided with protrusions at its upper and lower portions.

Regarding claim 7, it is the limitation of the engagement portions are formed in asymmetric positions at a periphery of the printer.

Regarding claim 9, it is the limitation of the rear panel includes a cutaway portion that is formed by cutting away from one side so as to be opened with a substantially U-shape.

Regarding claim 10, it is the limitation of the frame is provided with a bottom portion that extends in a direction smaller than a right angle by a predetermined angle with respect to the frame.

Regarding claim 15, it is the limitation of the engagement portions are formed in symmetric positions at a periphery of the printer.

Regarding claims 16 and 17, it is the limitation of the frame is provided with a bottom portion having a plurality of recessed portions formed in an upper surface of the bottom portion to receive feet of the printer when the photo stand is attached to the printer.

Regarding claim 19, it is the limitation of the frame has convexly curved surface portions.

Contact Information

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to An H. Do whose telephone number is 703-308-0525. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on 703-308-4896. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.



AD
September 22, 2003



Stephen D. Meier
Primary Examiner